IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CASE NO.: **CWP No.13643 of 2006**

DATE OF DECISION: August 29, 2006

MAGHAR SINGH AND OTHERS ...PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS ...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ASHUTOSH MOHUNTA.
HON'BLE MRS. JUSTICE NIRMAL YADAV.

PRESENT: MR. AKSHAY BHAN, ADVOCATE FOR THE PETITIONERS.

ASHUTOSH MOHUNTA, J. (ORAL)

The challenge in the writ petition is to the Notifications, Annexure P-1 and P-2 by which the lands of the petitioners as well as various other persons have been acquired for a public purpose, namely, for construction of New Broad Guage Railway Line from Chandigarh to Ludhiana.

Mr. Akshay Bhan, contends that initially, as per the survey conducted by the Railway Authorities, the railway line was to pass through some other areas. But now the plan has been changed and a curve has been provided, with the result the railway line would now pass through the lands of the petitioners.

The areas from which the railway line has to pass is absolutely within the domain of the experts of the Railway Authorities. We cannot decide the route through which the railway line should pass. The petitioners are obviously not competent to suggest alternative routes of laying of the railway line.

We find that the project is of utmost importance. Accordingly, we do not find any ground to quash the Notifications, Annexures P-1 & P-2. The writ petition is dismissed.

(ASHUTOSH MOHUNTA)
JUDGE

August 29, 2006
Gulati

(NIRMAL YADAV)
JUDGE